

REMARKS

Claims 29 to 31 have been cancelled, and new claims 32 and 33 have been submitted to clearly distinguish the Applicant's invention from the cited prior art when considered either individually or in combination.

New claim 32 points out a that the bottom layer has a bottom to which are coupled a plurality of adhesive strips each having a bottom face so processed as to prevent said modular laminate coating element from slipping on smooth floor and wall surfaces.

New claim 32 points out a laminate which is distinguished from canceled claim 29 substantially by the fact that the bottom is coupled (and not suitable for coupling) with a plurality of adhesive strips each having a bottom face so processed as to prevent said modular laminate coating element from slipping on smooth floor and wall surfaces.

This feature has been clearly disclosed in Applicant disclosure, see for example from the bottom of page 7 to the top of page 8.

Thus, the modular laminate coating element of new claim 32 is an integral construction which, in addition to comprising the three layers also comprises, integrally coupled to the bottom layer, the plurality of adhesive strips, thereby preventing the modular laminate covering element, as applied to a floor or wall surface, from slipping away.

In paragraph 5 of the Office Action, claims 29 and 30 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the applicant regards as the invention.

Reconsideration is requested.

It is submitted that the phrase "a central layer having a top face on which a woven or non-woven material top layer is arranged, said top layer having a top surface comprising a woven and dyed wool felt having smear resistant properties ..." is indefinite. It is respectfully submitted that the top layer is actually woven or non-woven, but the top surface that is woven and dyed wool felt. In other words, the top layer can be woven or not woven, whereas its top surface is constituted by a woven and dyed wool felt: the top surface of the top layer is to be considered as different from the top layer body. For this reason, it is requested that the objection to the phrase: "a central layer having a top face on which a woven or non-woven material top layer is arranged, said top layer having a top surface comprising a woven and dyed wool felt having smear resistant properties" be withdrawn.

In paragraph 7 of the Office Action, claims 29-31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bender et al. (Bender) in view of Latzke and Dessaint et al. (Dessaint).

Reconsideration is requested.

New claim 32 points out a modular laminate construction comprising three disclosed layers and, in addition, a plurality of anti-slipping strips coupled to the bottom layer. The cited prior art patents are concerned with insole construction. In particular, an insole, could not slip since it would be restrained from slipping by the confined inner surface of the shoe upper. In other words, from the prior art patents cited by the Examiner and, in particular, from Bender et al. (Bender) in view of Latzke and Dessaint et al. (Dessaint) it would not be possible to derive a modular laminate coating element construction designed as pointed out in new claim 32. The three layers of the claimed construction are integrally coupled and the bottom layer has a plurality of adhesive strips on the bottom face. These adhesive strips have been treated to provide anti-slipping properties.

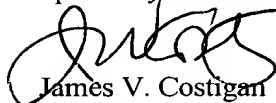
Accordingly, it is respectfully submitted that new claim 32 is patentable over the cited patents and allowance of claim 32 is respectfully solicited.

New claim 33, on the other hand, recites now a method for making the modular laminate element of claim 32, wherein the method comprises, as a distinctive and novel step thereof, the step of coupling to the bottom surface of the bottom layer a plurality of tearable adhesive strips each having a bottom face, with anti-slipping properties, thereby preventing the modular laminate element from slipping on smooth floor and wall surfaces.

Since none of the prior art patents neither teach nor suggest including such an operating step, it is believed that also new claim 33 would be provided with patentable merits and allowance thereof is respectfully solicited.

An early and favorable action is earnestly solicited.

Respectfully submitted,


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